

29004. Misbranding of Ger-Oil. U. S. v. 20 Cartons of Ger-Oil. Default decree of condemnation and destruction. (F. & D. No. 41849. Sample No. 11466-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 1, 1938, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cartons of Ger-Oil at Memphis, Tenn.; alleging that the article had been shipped in interstate commerce on or about January 18 and February 2, 1938, by the Ger-Oil Co. from Jonestown, Miss.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of a solution or combination of sulphur in turpentine and a saponifiable fixed oil.

It was alleged to be misbranded in that the following statements in the labeling, regarding its curative or therapeutic effects, were false and fraudulent: (Large carton) "Burns * * * Cuts Sores * * * Neuralgia, Rheumatic Pains, Worms in Children, Etc. * * * Formerly * * * Germ-Oil For Backache, Kidneys, Bladder, Cramps, Colic, Blood Purifier, Stomach Troubles, Etc."; (small carton) "* * * For Backache"; (bottle) "Formerly * * * Germ-Oil * * * Safe * * * Burns, Cuts, Sores, Headache, Backache: Etc."; (circular) "For Pain About The Head or Neck * * * Backache * * * Blood Purifier Take on Sugar, Burns, * * * Cuts, or Sores * * * Worms in Children.—Give as many Drops as they are years old, on Sugar for 3 or 4 mornings. * * * For Private Disease or Lost Manhood, 20 or 25 Drops at Bedtime on Sugar, until relieved."

On April 22, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29005. Misbranding of Dr. Reilly's Herb Tonic. U. S. v. 21 Bottles of Dr. Reilly's Herb Tonic. Default decree of condemnation and destruction. (F. & D. No. 41921. Sample No. 13937-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On March 15, 1938, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 bottles of Dr. Reilly's Herb Tonic at Providence, R. I.; alleging that the article had been shipped in interstate commerce on or about October 18, 1937, from Boston, Mass., by Thomas I. Reilly, M. D.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of alcohol, water, extracts of plant drugs, including a laxative plant drug, and a trace of oil of peppermint.

The article was alleged to be misbranded in that the following statements in a circular contained in the package, regarding its curative or therapeutic effects, were false and fraudulent: (Circular) "Tonic * * * For Restoring Health and Strength A Reliable Blood Purifier and Body Builder. A Great Liver and Bowel Regulator. A Dependable Herb Preparation for driving out all Poisons and Germs from the system giving strength and tone to every organ of the body. * * * the healing qualities and health-giving properties of herbs * * * this wonderful * * * Tonic. * * * This wonderful health remedy * * * health benefits * * * with perfect results. Dr. Reilly's Herb Tonic brings your system back to a healthy condition by driving out all concealed germs and poisons, by cleaning and purifying the blood stream, by opening up the natural waste channels of the system such as the liver, kidneys, and bowels, by correcting faulty digestion of foods and bringing about a natural healthy appetite, by building up and soothing the nerves so that natural, restful sleep is secured. It prevents premature old age because it restores health and vitality to every organ of the body, thereby preventing systematic changes which should not occur till very late in life. * * * Contains No harmful drug * * * Specially recommended by Dr. Reilly in the following conditions which have come from the reports of his own Patients. Specially recommended in all run-down conditions of the system after severe illness where convalescence is slow. In all forms of anemia where the blood is thin and watery. In such condi-

tions of the system manifested by sallow complexion and circles under the eyes, pimples, boils, carbuncles, abscesses, enlarged glands and scrofula. In liver troubles such as—torpid, sluggish liver, congestion of the liver, gall stones and jaundice, Dr. Reilly's Herb Tonic opens up the natural channels of the liver and brings about a healthy, active condition of the organ. In all forms of stomach and bowel trouble such as heart burn, slow digestion, belching of gases, fermentation, loss of appetite, * * * All catarrhal conditions of the system wherever located respond quickly to Dr. Reilly's Herb Tonic. It is wonderfully beneficial in all forms of kidney and bladder troubles. The results are wonderful. Tuberculosis patients are wonderfully benefited and helped to overcome the action and poison of the T. B. germ. Nervous patients are loud in their praise for the benefits they have received from Dr. Reilly's Herb Tonic. It is wonderful in insomnia, nervous headaches, dizziness, irritable nerves and disturbed sleep. Rheumatic patients are greatly benefited and helped to recovery by Dr. Reilly's Herb Tonic. It drives out the uric acid from the system. Children as well as adults are wonderfully benefited by Dr. Reilly's Herb Tonic. Give the children from 10-15 drops three times a day after meals mal-nutrition, rickets, anemia, enlarged swollen glands and all conditions where the child is below normal in growth and strength"; (bottle label) "Tonic * * * absolutely harmless * * * mild stimulating action on the system * * * A Restorative Tonic For The Entire System"; (carton) "Tonic * * * absolutely harmless * * * mild stimulating action on the system * * * A Restorative Tonic For The Entire System."

On April 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29006. Misbranding of Special Blood Purifier. U. S. v. 24 Bottles of Hon. Prof. Dr. Jos. Herman's Special Blood Purifier. Default decree of confiscation and destruction. (F. & D. No. 42092. Sample No. 9410-D.)

The labeling of this product bore false and fraudulent curative and therapeutic claims and false and misleading statements regarding its composition.

On April 5, 1938, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of Special Blood Purifier at Wheeling, W. Va.; alleging that the article had been shipped in interstate commerce on or about January 19 and 20, 1938, from Pittsburgh, Pa., by E. Freithofer Manufacturing Co.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of the article showed that it consisted essentially of small proportions of an iodide, an iodate, sodium carbonate, and extracts of plant materials dissolved in water.

It was alleged to be misbranded in that certain statements regarding its curative or therapeutic effects, on the carton and bottle and in an accompanying circular, falsely and fraudulently represented that it was effective in the treatment of stomach ailments, ulcers, abscesses, blood poisons, skin diseases, kidney trouble, rheumatism, female complaints, anemia, headaches, cramps, paralysis, arthritis, neuritis, eczema, infantile paralysis, stroke, ulcers of the stomach, abscesses of the ears, sugar diabetes, and bladder trouble. It was alleged to be misbranded further in that the statement on the bottle label, "This medicine mixed with water is mineral water," was false and misleading when applied to an article of the composition disclosed by the analysis.

On May 17, 1938, no claimant having appeared, judgment of confiscation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29007. Misbranding of Fisher's Pugilitis Pendicitis and Columbine Massage Cream; adulteration and misbranding of Fisher's Massage Liniment. U. S. v. 16 Bottles of Fisher's Pugilitis Pendicitis, et al. Default decree of condemnation and destruction. (F. & D. Nos. 41889, 41890, 41891. Sample Nos. 165-D, 166-D, 167-D.)

The labeling of all these products bore false and fraudulent curative and therapeutic claims. In addition, the labeling of the Pugilitis Pendicitis bore a false and misleading statement that it was guaranteed under the Food and Drugs Act; and the Massage Liniment contained less alcohol than declared on the label.

On March 11, 1938, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court